

**ADVERTISEMENT FOR PROPOSALS  
WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONERS  
Chipley, Florida 32428**

For:

**RFQ 2017-1 Legal Services for the Board of County Commissioners**

The Washington County Board of County Commissioners (the "County") requests interested parties to submit Qualifications for the above referenced contract.

RFQ documents are available at the Washington County Human Resources Department located at:

Attn: Marla Hayes  
1331 South Blvd  
Chipley, FL 32428  
850-415-5151

Requests for RFQ documents can be made by calling (850) 415-5151 or by Email to [mhayes@washingtonfl.com](mailto:mhayes@washingtonfl.com), attention MARLA HAYES (preferred method).

Qualifications must be received by the Human Resources Department no later than 2:00 p.m. CST, Friday, August 25, 2017. Qualifications received after such time will be returned unopened.

Contact MARLA HAYES, Director of Human Resources, at (850) 415-5151 for further information.

M/WBE's are encouraged to participate in the RFQ process.

## **2.0 Contact Information**

**Attn: MARLA HAYES**  
**Director of Human Resources**  
**Washington County BOCC**  
**1331 South Blvd.**  
**Chipley, FL 32428**  
**Phone: (850) 415-5151**  
**Email: [mhayes@washingtonfl.com](mailto:mhayes@washingtonfl.com)**

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### 3.0 Calendar of Events

Listed below are the important actions and dates/times by which the actions shall be taken or completed. If the County finds it necessary to change any of these dates/times, it will be accomplished by an addendum. All listed times are local Central Standard Time.

<b>CALENDAR OF EVENTS</b>		
<b>DATE</b>	<b>TIME</b>	<b>ACTION</b>
August 4, 2017	8:00 AM	Publish RFQ
August 25, 2017	2:00 PM	RFQ/Proposals Due
August 25, 2017	2:15 PM	RFP/Proposals Opening
September 7, 2017	5:30 PM or 10 Minutes After the Special Meeting at 5:05 PM, whichever is later.	Interview/Ranking Proposers
September __, 2017	TBD	Negotiate & Award Contract

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## **4.0 Introduction**

The Washington County Board of County Commissioners is seeking Legal Services from qualified individual attorneys and law firms to provide legal services related to general legal matters for the Board of County Commissioners and Washington County, Florida. It is desired that submitting proposers have offices within a reasonable distance of the County Administrative Office, and preference will be given to, attorneys and firms who have an office within thirty (30) miles of Chipley, Florida.

## **5.0 Background Information**

Washington County is a political subdivision of the State of Florida. The County is governed by an elected five (5) member Board of County Commissioners. Washington County is an administrative run form of county government in that the day-to-day operations of the County are managed by a County Administrator, with Jeff Massey currently serving in said capacity.

## **6.0 Scope of Work**

The selected attorney or law firm will provide legal services related to general matters for the County under the terms of an Agreement for Private Attorney Services which shall be negotiated between the County and the attorney. The attorney shall provide personnel ancillary to the furnishing of legal services and office space, all materials, equipment, computer research expense, supplies and facilities necessary for the support of personnel in the performance of these services. All costs and expenses of the attorney related to the performance of services related hereto shall be included in the proposed fee, and there shall be no expectation of additional consideration for such ancillary services or materials. In addition to providing legal services and providing legal representation of the County in certain litigation matters, the attorney will be required to attend the monthly Board meetings and any special Board meetings. The attorney(s) will also be responsible to providing legal advice to the County Administrator, which may include drafting and/or review legal instruments. Any resulting contract from this bid shall be subject to renewal annually by the Board of County Commissioners to determine if such contract shall be renewed.

## **7.0 Qualification Responses**

### **7.1 RFQ's Due and Public Opening**

All RFQ's shall be received by the Washington County Human Resources Department by the specified time and date as listed in Section 3, Calendar of Events (RFQ Due).

**7.2 Delays**

The County, at its sole discretion, may delay the scheduled due dates indicated on the Calendar of Events if it is to the advantage of the County to do so. The County will notify proposers of all changes in scheduled due dates by written addendum.

**7.3 RFQ Withdrawal**

Proposers may withdraw their proposals/response by notifying the the County Human Resources Department in writing at any time prior to the time set for the RFQ deadline (Due Date). Proposers may withdraw their proposal/response to the RFQ in person or through an authorized representative. Proposers and authorized representatives must disclose their identity (company business card and driver's license) and provide a signed receipt for the return of the proposals/response. Once opened, the proposal/response to the RFQ becomes the property of the County and will not be returned to the proposer.

**7.4 Additional Information**

No additional information may be submitted, or follow-up performed by any proposer after the stated due date unless specifically requested by the County.

**7.5 Addendum**

Should any revisions/clarifications/supplemental instructions be needed, the County will issue a written addendum to all proposers who received a RFQ package from the County Human Resources Department. It is the proposer's responsibility to check with the County Human Resources Department prior to submitting an RFQ to make sure they have not missed any issued addendums.

## **8.0 Instructions for Preparing RFQ**

All responses to the Request for Qualification must be received by 2:00 p.m., Central Standard Time, on Friday, August 25, 2017.

Deliver or Mail Proposal to:

RFQ 2017- 1: Request for Qualifications for Legal Services

Attn: MARLA HAYES, Director of Human Resources  
1331 South Blvd.  
Chipley, FL 32428  
Washington County, Florida

The delivery of the Response to the RFQ to the County prior to the time and date stated above is solely and strictly the responsibility of the proposer. Hand delivery is encouraged if timely mail delivery is questionable.

Each proposal shall be prepared simply and economically, providing a straightforward, concise delineation of the attorney's capabilities to satisfy the requirements of the RFQ. Emphasis in each application shall be on completeness and clarity of content. In order to expedite the evaluation of the proposals, it is essential that proposer follow the format and instructions contained in the RFQ Submission Requirements.

RFQ's are due at time and date specified in the Calendar of events and shall be submitted to the County Human Resources Department, 1331 South Blvd., Chipley, FL 32428. RFQ's received late will not be considered and no modification by the proposer of submitted proposals will be allowed. No County staff will be held responsible for the inadvertent opening of an RFQ not properly sealed, addressed or identified.

Before award, the County reserves the right to seek clarifications or request any information deemed necessary for proper review of submissions from any proposer deemed eligible for the contract award. Failure to provide requested information may result in rejection of the proposal.

The County shall not be obligated to pay for information obtained from or through any proposer prior to entering into a contract with the successful proposer. Once opened proposals become the property of the County and will not be returned to the contractor.

### **8.1 Proposal Format**

This section prescribes the format in which the proposals are to be submitted. There is no intent to limit the content of the proposal. Additional information deemed appropriate by the Proposer may be included, but must be placed within the relevant section. Additional tabs beyond those designated in this section will not be evaluated. The following paragraphs contain instructions that describe the required format for the RFQ.

Proposals should be limited to a page size of eight and one-half by eleven inches (8.5" x 11"). Fold out pages may be used, where appropriate, but should not exceed five percent (5%) of the total number of pages of the entire proposal. All

pages shall be sequentially numbered. If necessary, it is recognized that existing financial reports, document, or brochures, may not comply with the just-prescribed format. They will be acceptable in current form and need not be reformatted.

All proposals must contain the sections outlined below. Those sections are called "Tabs." A "Tab", as used here, is a section separator, offset and labeled, (Example: "Tab 1, Transmittal Letter"), such that the evaluation committee can easily turn to "Tabbed" sections during the evaluation process.

Each proposer should attach his/her set of typed responses to the following qualification/evaluation criteria and place under the respective tabs shown below:

**TAB 1**

State the full legal name and organizational structure of the firm. Include the business address, phone number, and attorney(s) to be assigned to the Board of County Commissioner's account. Indicate and discuss the location of your office and the distance of said location from Chipley, Florida. Indicate the Courts in which you are licensed to practice.

**TAB 2**

State whether the applicant is a member in good standing with the Florida Bar. Explain the circumstances if the applicant has ever been suspended or publicly reprimanded by the Florida Bar. Preference will be given to applicants who have been engaged in the active practice of law for at least seven (7) years.

**TAB 3**

Describe the educational and professional background, special training, and experience of the attorney(s) to be assigned to provide the required legal services for the County. Provide a detailed discussion with particular emphasis on the Sunshine Law, the Public Records Laws and the Florida Ethics Laws.

**TAB 4**

Describe the experience of your law firm and the attorney(s) to be assigned to the County in legal matters relating to governmental units and public entities in legal matters, including experience in litigation.

**TAB 5**

Describe the experience of your law firm and attorney(s) assigned to the County in legal matters relating to counties and municipalities, including experience in litigation.

**TAB 6**

State whether your law firm has the capability to handle all legal matters assigned to it by the County, or will the firm have to go outside the firm for consultation. If another firm is used, please discuss fully and identify all pertinent details.

**TAB 7**

Provide a listing of the legal matters within the scope of your law firm's practice.

**TAB 8**

Explain how the County will be kept informed in a timely manner of any changes in law that affects its operation.

**TAB 9**

Explain how the County will be kept informed in a timely manner of the status of any related litigation or other legal matters in which it is involved.

**TAB 10**

Explain the capability and availability of the attorney(s) assigned to the County in legal matters on an as-needed and as-requested basis.

**TAB 11**

Give the name of your professional liability insurer, the amount of coverage provided and the policy number and expiration date.

**TAB 12**

Give a detailed outline of your fee proposal for the services to be rendered, including any costs that might be incurred. Discuss fully. Outline innovative approaches in pricing structure and in-service parameters as they would relate to your proposal.

**TAB 13**

Describe the individual's or firm's minority or woman-owned business status, including the number of minorities and women in the office or firm.

**TAB 14**

Provide three (3) professional references with the contact persons' mailing addresses and telephone numbers. It is preferred that said references can speak to your history in working with governmental entities.

**TAB 15**

Disclose any current or past employment or contractual relationship with the County, any County employee, or Board member. Disclose any potential conflict of interest not identified above.

**TAB 16**

Submit any additional information not specifically requested herein above that you deem pertinent to the RFQ.

**TAB 17-Other Required Forms**

The proposed shall complete and return under Tab 18- Other Required Forms:

- Attachment A – Proposer Information Form
- Attachment B – Minority & Woman Owned Business Declaration Form
- Attachment C – W-9, Request for Taxpayer Identification Number and Certification

**8.2 Application Submission**

The County will receive proposals at the address listed in Section 2, Proposal and Contact Information page. The outside of the sealed envelope/container must be identified as follows:

- Proposer’s name
- Return address
- RFQ number and title
- Due date and time

All document produced as part of this RFQ shall become the exclusive property of the County. Proposals/responses to the RFQ may only be withdrawn as per section 7.5 of the RFQ. Once opened, all documents become the property of the County and will not be returned to the proposer.

**8.3 Number of Copies**

Proposers shall submit one (1) original hardcopy, and seven (7) additional copies.

**8.4 Due Date/Time**

Proposals must be received in the County Human Resources Department by the deadline. Proposals received after the specified time and date shall not be evaluated. The County will not be responsible for late deliveries or delayed mail. Receipt of the proposal after the time and date specified will result in the rejections of the proposal. Normal business hours are 8:00 a.m. to 4:00 p.m., Monday through Friday, Central Standard Time. The proposer may submit the proposal in person or by mail/courier service. Faxed or electronically sent proposals will not be accepted. Telephone confirmation of timely receipt of the proposal may be made by calling MARLA HAYES, Human Resource Department at (850) 415-5151.

## 9.0 General Conditions

**Execution of Responses** – The Response to RFQ must contain a manual signature of an authorized representative. The proposal must be typed or printed in ink.

**Response Opening** – Responses will be publicly opened and recorded on the date and time specified herein unless changed by addendum. Response tabulations will be furnished upon written request with an enclosed, self-addresses, stamped envelope. Tabulations will not be provided by telephone.

**Prices, Terms, and Payments** – Firm prices shall be proposed and include all services rendered to the Board.

**Taxes** – The County does not pay sales taxes on direct purchases of services. A copy of the County tax exemption certificate will be provided upon request.

**Mistakes** – Proposers are expected to examine the conditions, scope of work, rates, extensions, and all instructions pertaining to services involved. Failure to do so will be at the proposer's risk.

**Invoicing and Payments** – The firm shall be paid upon submission and approval of properly certified invoices to the County at the price stipulated on the contract at the time of service. An original copy of the invoice shall be submitted. The final payment shall not be made until after the contract is complete unless the County has agreed otherwise. Invoices for fees or other compensation for services or expenses submitted for contractual services shall be submitted in detail sufficient for a proper pre-audit and post-audit.

**Interpretation** – Any questions concerning the RFQ shall be directed to Mrs. MARLA HAYES, Director of Human Resources, 1331 South Blvd., Chipley, FL 32428.

**Governmental Restrictions** – In the event any governmental restrictions may be imposed which would necessitate alteration of the material quality of the services offered in the Response to RFQ prior to their completion, it shall be the responsibility of the successful proposer to promptly notify the County at once indication in his letter to specific regulation which requires the alteration. The County reserves the right to accept any alteration, including any price adjustments occasioned thereby, or to cancel the contract at no further expense to the County.

**Legal Requirements** – Applicable provision of all federal, state, county and local laws, and of all ordinances, rules, and regulations shall govern development, submittal, and evaluation of all proposals received in response hereto and shall govern any and all claims and disputes which may arise between person(s) submitting a Response and the

Board of Trustees, by and through its officers, employees, and authorized representative; and lack of knowledge by any proposer shall not constitute a cognizable defense against the legal effect thereof.

**Liability** – On any contract resulting from this RFQ, the proposer shall hold and save the County harmless against claims by third parties resulting from the contractor’s break of this contract or the contractor’s negligence or misconduct.

**Advertising** – In submitting a Response, proposer agrees not to use the results therefrom as part of any commercial advertising unless permission in writing is granted by the County.

**Conflict of Interest** – Any award hereunder is subject to Chapter 112, F.S, concerning conflict of interest. All proposers must disclose, with their Response, the name of any officer, director, trustee, or agent who is also an employee of the County.

**Contingent Fees** - The proposer warrants that no person or selling agency has been employed or retained to solicit or secure a contract hereunder for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the proposer for the purpose of securing business. For breach or violation of this warranty, the Board shall have the right to annul any resulting contract price or consideration, or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee.

**Right to Interview and Reject** - The County, in its sole discretion, may elect to interview all, any, or none of the proposers. The County may reserve the right to reject any and all Responses or to waive any minor non-material deviation in any Responses received or in this process.

**No Contract Until Board Signs Contract** – No contract shall be formed between the Board and the successful proposer by the announcement of the Board’s selection or the negotiation of a contract. After a contract has been negotiated, the contract between the Board and successful proposer will not be established until the written contract has been voted upon and signed by the Chairman of the Board and by the selected proposer.

**Equal Opportunity** - Neither person or firm shall be excluded from participation in, denied the benefits for, or otherwise discriminated against in conjunction with the award and performance of any County procurement on the basis of race, color, religion, national origin, age, sex, disability, or marital status.

**Assignment** – Any contract issued pursuant to the RFQ and any monies which may become due there under are not assignable except with prior written approval of the County.

**Protests** – Any person who is adversely affected by the Board’s decision or intended decision concerning a procurement solicitation or contract award and who wants to protest such decision or intended decision shall file a protest within seventy- two (72) hours, in compliance with Section 120.57, F.S. In addition, any protest concerning any claimed conflict, defect, unfairness, or ambiguity in the RFQ, shall be filed in compliance with Section 120.57, F.S.

**Public Records** - Any material submitted in response to the RFQ will become a public document pursuant to Chapter 119, F.S. This includes material that the responding proposer might consider to be confidential or a trade secret. Any claim of confidentiality is waived upon submission, effective after opening, pursuant to Chapter 119, F. S.

**Rejection of Proposals** – The County shall have the right to reject any and all proposals and to reject proposals that are in any way incomplete or irregular. The County reserves the right to reject any proposal of any applicant who has previously failed to perform contracts with governmental agencies, who failed to complete contract on time, or who is not in a position to perform the contract.

**Nondiscrimination and Compliance** – The selected contractor shall comply with all federal, state, and local laws and ordinances applicable to the work and shall not discriminate on the grounds of race, color, religion, sex, or national origin in the performance or work.

## **10.0 Evaluation of Request for Qualifications**

The evaluation of Responses will be based upon the following and on the responses to the RFQ. The order does not necessarily indicate priority.

- Qualification
- Experience and capabilities of the firm
- Experience of the personnel who will be working on government entity matters
- Available legal resources and firm location
- Knowledge of county government/public entity law
- Cost and fees
- Ability to perform timely
- Other factors or conditions affecting the proposer’s performance under this RFQ and needs of the Board of Commissioners

The County will evaluate each proposal submitted in response to the RFQ based upon the above-stated criteria and the responses to the RFQ. An interview may be conducted by the Board with selected firms. The Board of County Commissioners will then choose the firm to represent the County.

**ATTACHMENT A – Proposer Information Sheet**

Name:
Title:
Company Name:
Mailing Address:
City:
State:
Zip:
Telephone Number:
Company Toll Free Telephone Number:
Cell Phone:
Fax Number:
E-Mail Address:
Type of Business: _____ Corporation _____ Partnership _____ Sole Partnership _____ Joint Venture
Incorporated in the State of _____ Date: _____ Number of Years: _____
SSN (If Sole Proprietorship or Partnership): _____ Only required if FEIN is not provided

*This form **must** be completed and returned with your proposal to fulfill the requirements of this RFQ.*

**Attachment B – Minority and Woman Owned Business Declaration**

Minority/Woman Owned Business: Yes \_\_\_\_\_ No \_\_\_\_\_

**Minority and Woman Owned Business Declaration Form**

Proposer hereby declares that it is a Minority/Woman Owned Business Enterprises, as defined by section 288.703, F.S., by virtue of the following:

Type of Business (Check applicable area):

- ( ) African American
- ( ) Hispanic American
- ( ) Native American
- ( ) Asian American
- ( ) American Woman

**Note: Minority Business Enterprises, Small Business, and Minority Businesses, terms are defined in Chapter 288.703, Florida Statutes. Chapter 287.094, F.S., states that it is unlawful for any individual to falsely represent any entity as a minority business enterprise. A person in violation of 287.094, F.S., is guilty of a felony of the second degree.**

Proposer:
Certified by (Name of Public Entity, if applicable):
Certificate Number/Attach Copy:
Signature and Date:

*This form **must** be completed and returned with your proposal to fulfill the requirements of this RFQ.*

